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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-09-00693 CW
	)	
Plaintiff,	)	REQUEST TO STAY PRETRIAL
	)	RELEASE ORDER FOR DEFENDANT
v.	)	NATHAN WILLIE GARDNER, JR. AND
	)	[PROPOSED] ORDER
NATHAN WILLIE GARDNER, JR.,	)	
aka, "Little Nate,"	)	Date:
	)	Time:
Defendant.	)	Court: Hon. Claudia Wilken
	)	

On July 29, 2009, Magistrate Judge Wayne D. Brazil granted an order setting conditions of pretrial release for Defendant Nathan Willie Gardner, Jr. Per the government's request, Magistrate Judge Brazil stayed the Order granting pretrial release until 11:00 a.m. on July 30, 2009 to allow the government time to appeal the release order.

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1 The government filed its appeal on July 30, 2009 and hereby requests that this Court  
2 further stay Magistrate Brazil's Order granting pre-sentencing release until this matter can be  
3 heard by this Court.

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5 DATED: July 30, 2009

Respectfully submitted,

6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

8 /s/ Garth Hire  
9 /s/ Christina McCall

10 GARTH HIRE  
11 CHRISTINA McCALL  
Assistant United States Attorneys

12 Pursuant to the request of the United States, IT IS HEREBY ORDERED that the Order of  
13 Magistrate Judge Wayne D. Brazil setting conditions of pretrial release for Defendant Nathan  
14 Willie Gardner, Jr. is hereby stayed until such time that this Court can hear the United States'  
15 appeal of the Order.

16 DATED: \_\_\_\_\_

17 HON. CLAUDIA WILKEN  
18 United States District Judge  
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